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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,514	11/24/2003	Tad Dannis Brockway	MS1-1786US	5324
22801	7590	08/21/2008		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER NEURAUTER, GEORGE C	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 08/21/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/721,514

Applicant(s)

BROCKWAY ET AL.

Examiner

George C. Neurauter, Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 6/17/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 17 June 2008 has been entered.

Information Disclosure Statement

The IDS filed 17 June 2008 is in compliance with 37 CFR 1.97 and has been considered by the Examiner.

Response to Arguments

Applicant's arguments filed 17 June 2008 have been fully considered but they are not persuasive.

The Applicant argues that Kramer does not teach or suggest discovering information corresponding to at least one application deployed on the Intranet and facilitating the delivery of discovered information to a remote client computer. The Examiner respectfully does not agree in view of the disclosures of Kramer.

Kramer disclosed:

"To advertise web services, firms or companies can publish their services on the web using the content server 110. As more and more web services are written, a central repository (i.e., depository) for public web services, or a web service directory 145, is

typically stored on the content server 110. The web service directory 145 may include a table listing supported web services and may also include documentation for each listed web service. One example of the web service directory 145 includes the Universal Description, Discovery, and Integration (UDDI) registry, jointly developed by Microsoft Corporation of Redmond, Wash., International Business Machines Corporation of Armonk, N.Y., and Ariba Inc. of Sunnyvale, Calif. Web services can alternatively be published on the web service directory 145 using the Lightweight Directory Access Protocol (LDAP), Microsoft's ACTIVE DIRECTORY, developed by Microsoft Corporation of Redmond, Wash., Common Object Request Broker Architecture (CORBA) name service, or ebXML service registry developed by the Organization for the Advancement of Structured Information Standards (OASIS) of Billerica, Mass." (paragraphs 0005 and 0006)

"Referring to FIG. 3, the web publishing tool 223 receives a web service description and access information for an application (e.g., GUI application) for publishing (step 300). In one embodiment, the web service description includes the service information described above (e.g., the name of the business offering the web service, the service type, a textual description of the service, and a SAP). The access information may include, for example, a published application name, a Transmission Control Protocol (TCP) browsing server farm address, and a MetaFrame server IP address. In some embodiments, the access information specifies the address to use and a ticket to use to traverse network or security gateways or bridge devices." (paragraph 0038)

These disclosures make clear that Kramer disclosed that the web service as defined in the claimed invention receives requests for publishing and, therefore, "discovers" this information. The claim fails to specifically disclose how specifically the web service discovers this information. Kramer, as shown previously, does show that the web service delivers this information upon request to the client computer. Therefore, in view of the broadest reasonable interpretation, Kramer continues to anticipate the claimed invention and the claims are not in condition for allowance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication 2003/0182392 A1 to Kramer.

Regarding claim 1, Kramer disclosed a method comprising:

providing a Web service (associated with a "web server") in an Intranet (alternatively referred to in Kramer as a "LAN"), the Web service being coupled to a public network ("Internet"); discovering, by the Web service, information ("service information"), the information corresponding to at least one application deployed on the Intranet, the application being configured for subsequent terminal server (TS) based

access for a user of the remote client computer, the remote computer being external to the Intranet (on the Internet); and facilitating, by the Web service, the delivery of discovered information to a remote client computer. (see at least paragraphs 0003, 0005, 0007, and 0032-0034) (particularly see paragraphs 0026-0029)

Claims 7, 14, and 20 are also rejected since these claims recite substantially the same limitations as recited in claim 1.

Regarding claims 2 and 3, Kramer disclosed a method as recited in claim 1, wherein the at least one application is one of multiple applications, respective ones of the multiple applications having been published by multiple information sources on the Intranet, the multiple information sources comprising a directory service, a Systems Management Server (SMS), and/or an office computer associated with the user. (see at least paragraphs 0005 and 0032)

Claims 8-9, 15-16, and 21-22 are also rejected since these claims recite substantially the same limitations as recited in claims 2 and 3 respectively.

Regarding claim 4, Kramer disclosed a method as recited in claim 1, wherein the remote client computer is not coupled to the Internet over a Virtual Private Network. (paragraphs 0007 and 0028, particularly "The client 105 typically accesses the web service through a programming interface")

Claims 10 and 17 are also rejected since these claims recite substantially the same limitations as recited in claim 4.

Regarding claim 5, Kramer disclosed a method as recited in claim 1, wherein facilitating further comprises:

receiving, by the Web service, a remote application discovery request from the remote client computer, the remote application discovery request comprising identity information of the user, the remote application discovery request being communicated to the Web service across the public network; (see at least paragraphs 0007, 0015, 0026-0027, and 0043-0044)

responsive to receiving the remote application discovery request, communicating, by the Web service, a get applications request to one or more information sources deployed on the Intranet, the get applications request directing each of the one or more information sources to return the information as a function of the identity information (see paragraph 0027, specifically "client device type" or "user" "specific"); responsive to the communicating, receiving the information; and forwarding the information to the remote client computer for aggregated presentation of user interface objects associated with respective ones of remotely deployed applications that have been configured for subsequent TS-based access by the user. (see at least paragraphs 0026-0027 and 0043-0045)

Claims 11, 18, and 23 are also rejected since these claims recite substantially the same limitations as recited in claim 5.

Regarding claim 6, Kramer disclosed a method as recited in claim 5, wherein the at least one application is installed on an office computer associated with the user, and wherein communicating the get applications request further comprises:

sending a get network address request to a directory service ("web service directory") deployed on the Intranet; responsive to sending the get network address

request, receiving a response identifying a network address of the office computer ("service access point" or "SAP"); and wherein the get applications request is communicated to the network address of the office computer. (see at least paragraphs 0027, 0029, and 0043-0045)

Claim 13 is also rejected since this claim recites substantially the same limitations as recited in claim 6.

Regarding claim 12, Kramer disclosed a computer-readable medium as recited in claim 11, wherein the instructions for communicating the get applications request to one or more information sources are implemented across respective ones of one or more accessor modules, each accessor module being configured to communicate with a particular one information source of the information sources. (see at least paragraphs 0026-0027 and 0032)

Claim 19 is also rejected since this claim recites substantially the same limitations as recited in claim 12.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Neurauter, Jr. whose telephone number is 571-272-3918. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger, can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George C. Neurauter, Jr./
Primary Examiner, Art Unit 2143